

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

FILED
APR 13 2022
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEMETRIUS U. FELDER,

Defendant.

INDICTMENT

JUDGE POLSTER

5 : 22 CR 177

CASE NO.

Title 18, United States Code,
Sections 922(g)(1), (g)(9),
924(a)(2) and (c)(1)(A)(i); Title
21, United States Code, Sections
841(a)(1), (b)(1)(A)(viii) and
(b)(1)(B)(vi)

COUNT 1

(Felon in Possession of Firearms and Ammunition, 18 U.S.C. §§ 922(g)(1) and 924(a)(2))

The Grand Jury charges:

1. On or about March 31, 2021, in the Northern District of Ohio, Eastern Division, Defendant DEMETRIUS U. FELDER, knowing he had previously been convicted of crimes punishable by imprisonment for a term exceeding one year, those being: Aggravated Robbery, on or about August 29, 2000, in Case Number CR 00 04 0833, in the Summit County Court of Common Pleas, and Felonious Assault, on or about March 19, 2014, in Case Number 2013 11 3259, in the Summit County Court of Common Pleas, knowingly possessed in and affecting interstate commerce firearms, to wit: a Glock, Model 43, semiautomatic pistol, 9x19 caliber, serial number BAKN729; a Smith and Wesson, Model SD9VE, semiautomatic pistol, 9mm caliber, serial number FCM5759; a Norinco, Model Mak-90 Sporter, semiautomatic rifle, 7.62x39 caliber, serial number 66252; and a Zastava, Model ZPAP92, semiautomatic pistol, 7.62x39 caliber, serial number Z92-078407 and ammunition, said firearms and ammunition

having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 2

(Possession of Firearms and Ammunition by a Person with a Domestic Violence Conviction,
18 U.S.C. §§ 922(g)(9) and 924(a)(2))

The Grand Jury further charges:

2. On or about March 31, 2021, in the Northern District of Ohio, Eastern Division, Defendant DEMETRIUS U. FELDER, knowing he had previously been convicted of a misdemeanor crime of domestic violence, that being: Domestic Violence, on or about March 19, 2014, in Case Number 2013 11 3259, in the Summit County Court of Common Pleas, knowingly possessed in and affecting interstate commerce firearms, to wit: : a Glock, Model 43, semiautomatic pistol, 9x19 caliber, serial number BAKN729; a Smith and Wesson, Model SD9VE, semiautomatic pistol, 9mm caliber, serial number FCM5759; a Norinco, Model Mak-90 Sporter, semiautomatic rifle, 7.62x39 caliber, serial number 66252; and a Zastava, Model ZPAP92, semiautomatic pistol, 7.62x39 caliber, serial number Z92-078407 and ammunition, said firearms and ammunition having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Sections 922(g)(9) and 924(a)(2).

COUNT 3

(Possession with Intent to Distribute a Controlled Substance,
21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii))

The Grand Jury further charges:

3. On or about March 31, 2021, in the Northern District of Ohio, Eastern Division, Defendant DEMETRIUS U. FELDER did knowingly and intentionally possess with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii).

COUNT 4

(Possession with Intent to Distribute a Controlled Substance,
21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi))

The Grand Jury further charges:

4. On or about March 31, 2021, in the Northern District of Ohio, Eastern Division, Defendant DEMETRIUS U. FELDER did knowingly and intentionally possess with the intent to distribute 40 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(vi).

COUNT 5

(Possession of Firearms in Furtherance of a Drug Trafficking Crime,
18 U.S.C. § 924(c)(1)(A)(i))

The Grand Jury further charges:

5. On or about March 31, 2021, in the Northern District of Ohio, Eastern Division, Defendant DEMETRIUS U. FELDER did knowingly possess firearms, those being, a Glock, Model 43, semiautomatic pistol, 9x19 caliber, serial number BAKN729; a Smith and Wesson, Model SD9VE, semiautomatic pistol, 9mm caliber, serial number FCM5759; a Norinco, Model Mak-90 Sporter, semiautomatic rifle, 7.62x39 caliber, serial number 66252; and a Zastava, Model ZPAP92, semiautomatic pistol, 7.62x39 caliber, serial number Z92-078407, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute methamphetamine, a Schedule II controlled substance and as charged in Count 3 of this Indictment and possession with the intent to distribute fentanyl, a Schedule II controlled substance as charged in Count 4 of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

FORFEITURE

The Grand Jury further charges:

6. The allegations contained in Counts 1-5 of this Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853 (drug offenses) and Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) (firearms offenses). As a result of these offenses, Defendant DEMETRIUS U. FELDER shall forfeit to the United States: (i) any and all property constituting, or derived from, any proceeds the Defendant obtained, directly or indirectly, as the result of the drug offenses; (ii) any and all of the Defendant's property used - or intended to be used - in any manner or part, to commit or to facilitate the commission of the drug offenses; and, (iii) any and all firearms and ammunition involved in or used in the commission of the firearms offenses; including, but not limited to, the following:

- a.) A total of approximately \$4,633.00 U.S. Currency seized from DEMETRIUS U. FELDER on March 31, 2021, at locations in Akron, Ohio.
- b.) Glock, Model 43, semiautomatic pistol, 9x19 caliber, serial number: BAKN729, with any ammunition and magazines, seized on March 31, 2021 pursuant to the execution of a search warrant at a location on Winans Avenue, Akron, Ohio.
- c.) Smith and Wesson, Model SD9VE, semiautomatic pistol, 9mm caliber, serial number: FCM5759, with any ammunition and magazines, seized on March 31, 2021 pursuant to the execution of a search warrant at a location on Winans Avenue, Akron, Ohio.
- d.) Norinco, Model Mak-90 Sporter, semiautomatic rifle, 7.62x39 caliber, serial number: 66252, with any ammunition and magazines, seized on March 31, 2021 pursuant to the execution of a search warrant at a location on Winans Avenue, Akron, Ohio.

e.) Zastava, Model ZPAP92, semiautomatic pistol, 7.62x39 caliber, serial number: Z92-078407, with any ammunition and magazines, seized on March 31, 2021 pursuant to the execution of a search warrant at a location on Winans Avenue, Akron, Ohio.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.